



MICHAEL R. PENCE, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

July 1, 2014

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on July 1, 2014.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Thomas Cloud
Michael Corey
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Hoch
Matt Mitchell
Craig Von Deylen

Commissioners not present at the Commission meeting:

Patrick Richard

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services
Mara Snyder, Director, Legal and Code Services
Cecilia Ernstes-Boxell, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, was present.



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2. Old Business

Chairman Hawkins called for any corrections or a motion to approve the minutes of the June 3, 2014, meeting. Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

3. Variances

Tabled Variances

Variance 14-05-14, Fifth Third Bank Security Entrance Vestibule – US 31, Indianapolis, and variance 14-05-15 Fifth Third Bank Security Entrance Vestibule – Washington Street, Indianapolis, had requested to be tabled. Commissioner Mitchell moved to table, with the second by Commissioner Corey. It was voted upon and carried.

Variance 14-06-18 8560 Broadway Merrillville – Sprinklers, Merrillville, was represented by Dr. Arshad P. Malik, owner. The request was to be allowed to not maintain the sprinkler system. The building, a one-story structure with six units occupied by medical offices and two units vacant, has a dry system which, after a six month effort, cannot be repaired. Following a lengthy discussion, the question was raised if the building was even required to be sprinklered. Commissioner Brown moved to table to allow the proponent time to determine if the sprinklers were required. Commissioner Von Deylen made the second. It was voted upon and carried.

Variance 14-06-19 Midwest Torah Center, South Bend, had a request from the proponent to table. Commissioner Corey moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

Variance 14-06-20 Villadel Sol, Merrillville, had been withdrawn.

Variance 14-06-21 Chi Omega Sorority – Standpipe Removal, West Lafayette, had a request from the proponent to table. Commissioner Von Deylen moved to table, with the second by Commissioner Corey. It was voted upon and carried.

Variance 14-06-35 Heir & Assoc. LLC – McCordsville Office Renovation, McCordsville, was represented by Roger Heir, owner. A duplex was being converted to two office spaces, and the request was to omit the service sink and drinking fountain. Following a discussion of the owner's difficulty in finding room to provide the sink, Commissioner Brenner moved to table to allow the owner to find a service sink location to serve both offices and cost information. Commissioner Von Deylen made the second. It was voted upon and carried.

Variance 14-06-50 Benteler Automotive Corporation Goshen Campus, Goshen, was represented by Tim Baldridge, Progressive Engineering. The request was to allow a non-sprinklered steel-framed, fabric building used for storage to be added to an existing, sprinklered unlimited area building when the new storage building would encroach on the 60' side yards required for the

unlimited area building. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

Variance 14-06-65 PAL Trailer Leasing, Indianapolis, was incomplete. Commissioner Brown moved to table, with the second by Commissioner Corey. It was voted upon and carried.

Variance 14-06-69 East View Apartments Building 6, Berne, was represented by Josh Barkley, Barkley Builders. The request was to allow the use of a 13D sprinkler system instead of the required 13R sprinkler system. The water lines available in the area would not support a 13R system. Commissioner Brown moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

Regular Variances

Chairman Hawkins noted that variance 14-07-1 Lynn Leasing System Change, Ft. Wayne, 14-07-20 Mozzi's Pizza, Greenfield, 14-07-21 Putnam County Public Library Children's Area Renovation, Greencastle, 14-07-25(a)(b) Johnson Complex A Renovation of Elevators, Muncie, and 14-07-40 Leffler Tire Apartment, Peru, all were incomplete. Commissioner Corey moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried. The Chairman called for any abstentions. Commissioner Cloud noted he would abstain from voting on 14-07-4(a)(b)(c) 500 Wabash Building, Terre Haute, 14-07-17(a)(b)(c)(d) Millikan on Mass Phase II, Indianapolis, and 14-07-55 10 North Mixed Use, Bloomington. Chairman Hawkins noted he would abstain from voting on 14-07-44 Mill Steel 2014 Addition, Jeffersonville. Commissioner Mitchell noted he would abstain from voting on 14-07-29 Wayne Street Water Treatment Chlorine Conversion, Noblesville. Commissioner Hoch noted he would abstain from voting on 14-07-10 Cardon 4-Plex Cottage Homes, Fishers. Chairman Hawkins then called for any variances in the block vote to be called out. Commissioner Brown called out 14-07-10 Cardon 4-Plex Cottage Homes, Fishers, and 14-07-38 Wabash Middle School Addition, Wabash. Commissioner Corey made a motion to approve the remaining "A" and "B" variances. The second was made by Commissioner Brenner. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 14-07-2 Johnny's Market, Indianapolis
- (2) 14-07-3 Cedar Creek Sawmill, Grabil
- (3) 14-07-6(c) Lawrence Senior Apartments, Indianapolis
- (4) 14-07-8 YMCA of DeKalb County Addition, Auburn
- (5) 14-07-9 Sherwood Oaks Christian Church Welcome Center, Bloomington
- (6) 14-07-12 ARC Innovations Hotel, Muncie
- (7) 14-07-13 John E. Worthen Arena Aisle Handrails, Muncie
- (8) 14-07-14(c) Redeemer Lutheran Church Parish Hall Addition, Seymour
- (9) 14-07-17(a)(b)(c) Millikan on Mass Phase II, Indianapolis
- (10) 14-07-19(a)(b) Westfield High School Community Stadium, Westfield
- (11) 14-07-22 Lids Corporate Headquarters, Zionsville
- (12) 14-07-26 Kokomo Water Treatment Plant Chemical Feed Upgrade, Kokomo

- (13) 14-07-27(a) Euphoria, Bloomington
- (14) 14-07-28 Post Road Christian Church Assembly Building, Indianapolis
- (15) 14-07-29 Wayne Street Water Treatment Chlorine Conversion, Noblesville
- (16) 14-07-31(a)(b) Lakeside Apartments, Carmel
- (17) 14-07-32 Gumwood Apartments, Mishawaka
- (18) 14-07-34(c) Tippecanoe Laboratories Building T33, Lafayette
- (19) 14-07-35(d) Tippecanoe Laboratories Building T18, Lafayette
- (20) 14-07-37(b) Tippecanoe Laboratories Building T56, Lafayette
- (21) 14-07-41 Vigo County School Aquatic Center, Terre Haute
- (22) 14-07-42 Johnson County REMC, Franklin
- (23) 14-07-44 Mill Steel 2014 Addition, Jeffersonville
- (24) 14-07-45 Alcoa Lafayette Aluminum Lithium Cast Facility, Lafayette
- (25) 14-07-46 American Wholesale Furniture, Indianapolis
- (26) 14-07-47(a)(b)(c) Axis @ Block 400, Indianapolis
- (27) 14-07-49 Center Grove High School Renovation, Greenwood
- (28) 14-07-51(a) Rockstone Pizza / Big Lug's, Indianapolis
- (29) 14-07-54(b) Gateway Apartments, Bloomington
- (30) 14-07-58 Indiana Transportation Museum Tent, Noblesville
- (31) 14-07-59(a)(b)(d) Muncie Parking Garage, Muncie

The following variances were heard separately:

- (32) 14-07-4(a)(b)(c) 500 Wabash Building, Terre Haute

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to allow the lounge seating area to be open to the 1-hour egress corridor on floors 2 through 5 of the sprinklered R-2 Occupancy building. It will comply with NFPA 101. Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow the use of a 13R system, instead of the required NFPA 13 system, in the upper 4 stories of the building, separated by a 3-hour horizontal assembly from the 1-story podium building. Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was a request to allow the trash chute openings on floors 2 through 5 to open directly into the 1-hour corridors. The chutes are sprinklered and an additional sprinkler head was to be located outside the chutes. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried, with one nay. Commissioner Cloud abstained from all votes.

- (33) 14-07-5 Franklin Street Tavern, Evansville

Ed Rensink, RTM Consultants, spoke for Roger Lehman, RLehman Consulting, as proponent. An existing two story building was having the first floor converted to a tavern, with apartments on the second floor. A cooler addition will bring the building to within

6'11" of the property line. The request is to allow the metal-skinned cooler to not have a 1-hour rating since it did not pose a safety hazard which would justify the costs involved to enclose it. Following discussion, Commissioner Mitchell moved to approve with the second by Commissioner Von Deylen. It was voted upon and carried.

(34) 14-07-6(a)(b) Lawrence Senior Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing building, previously used as a high school, was being converted to apartments. The request in (a) was to allow two historic 3-story stairs to remain unenclosed. An 18" draft curtain and close spaced sprinklers would be installed at the ceiling of each floor opening for protection. Two new enclosed stairs were to be provided. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow the use of the 14" thick masonry wall as the separation between the existing building and the addition, instead of the required fire wall. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(35) 14-07-7 Summit Sodium Bicarbonate Storage and Milling Facility, Rockport

Speaking for Roger Lehman, RLehman Consulting, Ed Rensink, RTM Consultants, served as proponent. The request was to omit the code-required fire barrier between the S1 storage area and F1 process area of the facility. Sodium bicarbonate, slightly combustible, is stored in the S1 portion of the building, and is transported to the process side of the building via conveyers. The conveyor penetrations of the barrier would be difficult and costly to protect in the low-hazard facility. The local fire department did not object to the variance. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(36) 14-07-10 Cardon 4-Plex Cottage Homes, Fishers

Commissioner Brown had called this application out. Following a statement from Commissioner Brown on the need for sprinklering townhomes now and in the future, Commissioner Brenner moved that no variance was required. Commissioner Von Deylen made the second. It was voted upon and carried, with one nay. Commissioner Hoch abstained.

(37) 14-07-11 Stadium Lofts Garages, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The private garage building for the apartments will cause the windows to be within 15 feet of the property line instead of the code-required 20 feet. The exterior wall of the garage facing the Stadium Lofts building

will be 1-hour rated and without openings, with a 1-hour roof/ceiling assembly. Following discussion, Commissioner Cloud moved to approve with the condition that any load-bearing wall for the two garage units shall be 1-hour rated. Commissioner Corey made the second. It was voted upon and carried, with one nay vote.

(38) 14-07-14(a)(b) Redeemer Lutheran Church Parish Hall Addition, Seymour

Tim Callas, J & T Consulting, spoke as proponent. Variance (a) was to allow the use of existing windows and doors in the 2-hour fire wall between the existing building and the addition. The addition will be protected with an NFPA 13 sprinkler system, and there was to be a water curtain for window and door openings in the fire wall. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to allow exterior openings into the courtyard to exceed the 25% allowed by code. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(39) 14-07-15 Iglesia Rio de Agua Viva, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. A former print shop, composed of two buildings, structurally independent from one another, is being evaluated under Chapter 34 for use as a church. The request was to allow the use of the existing 2-hour, structurally independent exterior wall in lieu of the 3-hour fire wall. The 1-story building would be used as the sanctuary. A fire alarm system was to be installed in both buildings, and smoke detection throughout the 2-story building. A 2-hour stair enclosure will also be provided. Following discussion, Commissioner Brenner moved to approve with the condition that a complying double door exit be provided on the east side of the building. Commissioner Corey made the second. It was voted upon and carried.

(40) 14-07-17(d) Millikan on Mass Phase II, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow clothes dryer ducts to exceed the 25 feet allowed by code. Following a brief discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Cloud abstained.

(41) 14-07-18 DeKalb County Fair Association Horse Barn, Auburn

Tim Callas, J & T Consulting, spoke as proponent. Also presenting was Mike Ley, Vice-President of the DeKalb County Fair Association. The request was to omit the code-required sprinkler system for a period of two years until the city lays water lines to the area, and to allow funds to be gathered for the installation of the system. The primary use

of the facility is to house horses during the fair, but the facility will be used for other functions during the remainder of the year. When used for other events, a fire watch will be provided. Following discussion, Commissioner Brenner moved to approve with the condition that a seating layout be given to the local fire department, the fire watch for events be staffed at a ratio of one fire personnel to every three hundred occupants, no fueled-engine events be held, and that the occupant load be limited by exit door width. Commissioner Hoch made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 10:30 a.m. It was called back to order at 10:39 a.m.

Chairman Hawkins announced that Mr. Reed had been in contact with the local building official and he had asked to be allowed to be heard. Commissioner Corey then made a motion to reverse the table of variance 14-07-1 Lynn Leasing System Change, Ft. Wayne. Commissioner Hite made the second. It was voted upon and carried.

(42) 14-07-1 Lynn Leasing System Change, Ft. Wayne

Christina Colleter, RTM Consultants, assisted Dennis Reed with the presentation. She noted that the code for which they were seeking the variance was being changed to 675 IAC 12-4-9. They had spoken to the fire department in 2003 about deactivating the south building system since it was not repairable, and he thought the issue had been taken care of at that time. A recent inspection found it in non-compliance, resulting in the current application. The area involved is used by a local Lutheran ministry assisting the needy in Ft. Wayne a few days per week. Following discussion, Commissioner Mitchell moved to approve with the condition that the letter from the local building official be submitted to staff by July 7, 2014. Commissioner Hoch made the second. It was voted upon and carried.

(43) 14-07-23 St. Joseph Catholic Church Storage Garage, North Vernon

Staff had recommended that no variance was required. The facility was not heated, had no regular occupants and no plumbing. Commissioner Cloud made a motion that no variance was required, with the second by Commissioner Corey. It was voted upon and carried.

(44) 14-07-24 Hoffman Hotel Artist Apartments, South Bend

Tim Callas, J & T Consulting, spoke as proponent. An existing, 12-story, office building, which had once served as a hotel, was being converted to apartments. The building could not pass the Chapter 34 review due to unprotected stair openings which gave them a -36

score . Close spaced sprinklers were to be provided on the first floor to protect the opening into the stair, while all other openings into the stair would be protected with self-closing 1½ hour rated doors. The request was to allow a score of 0 for the protection alternative offered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was vote upon and carried.

(45) 14-07-27(b) Euphoria, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow a score of 0 for the vertical opening portion of the Chapter 34 evaluation. The vertical openings resulted in a score of -28. Jim Gerstbauer, Monroe Building Department, stated he was not adverse to the use of the building, but he did object to adding points to Chapter 34 evaluations. Following discussion, Commissioner Brenner moved to approve with the condition that the variance was for this tenant only. Commissioner Corey made the second. It was voted upon and carried.

(46) 14-07-30 Ivy Tech Noblesville Building, Noblesville

Melissa Tupper, RTM Consultants, spoke as proponent. The existing Noblesville Middle School is being converted to Ivy Tech Noblesville in two phases. The request is to allow the change of use from an E Occupancy to a B Occupancy without complying with rules for new construction or using Chapter 34. They wish to occupy only the area marked in color on the plans submitted with the application for the 2014-2015 school year. The building is fully sprinklered, and the fire alarm system is being replaced. Following discussion, Commissioner Corey moved to approve with the condition that the school occupy only the area indicated in color on the drawing with no occupancy of any other portion of the building. Access to the rest of the building was to be blocked, and the variance valid for one year. Commissioner Cloud made the second. It was voted upon and carried. Commissioner Mitchell abstained.

(47) 14-07-33(a)(b)(c)(d) Tippecanoe Laboratories Building T1, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. Dawn Lehman, engineer for Evonik, also spoke. The existing building has not changed use since being built in 1952, but has changed processes and materials. Variance (a) was to omit the continuous mechanical ventilation system. Air louvers and a manual ventilation system will be provided. Variance (b) was to omit the ventilation system in the chill room for storage of contact irritants. Variance (c) was to omit smoke and heat vents and curtain boards. Variance (d) was to omit hose stream allowances in hydraulic calculations for the sprinkler system since Evonik has an on-site, state certified industrial fire department.

Following discussion, Commissioner Cloud moved to approve variances a through d, with the second by Commissioner Brenner. It was voted upon and carried.

(48) 14-07-34(a)(b)(d)(e) Tippecanoe Laboratories Building T33, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. Dawn Lehman, engineer for Evonik, also spoke. It was noted that they are building a fire separation and secondary containment system, as well as sprinklers in the warehouse. Variance (a) was a request to omit the smoke and heat vents and curtain boards. Variance (b) was to omit the rated separation. Variance (d) was to omit hose stream allowance from hydraulic calculations for the sprinkler system. And variance (e) was to allow the facility to comply with current code as modified in the variances. Following discussion, Commissioner Brown moved to approve variances a, b, d and e. The second was made by Commissioner Corey. It was voted upon and carried.

(49) 14-07-35(a)(b)(c)(e)(f) Tippecanoe Laboratories Building T18, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. Dawn Lehman, engineer for Evonik, also spoke. Variance (a) was to not comply with rules for new construction or Chapter 34 for changes made to the building, but will comply as modified in the variances. Variance (b) was to omit the fire-rated separation for the office area. Variance (c) was to not comply with current code for the construction of an H-3 occupancy. Variance (e) was to omit smoke and heat vents and curtain boards. Variance (f) was to omit hose stream allowances in the calculation for the sprinkler systems. Following discussion of alternatives and hazards, Commissioner Brenner moved to approve all of the variances, with the second by Commissioner Corey. It was voted upon and carried.

(50) 14-07-36(a)(b)(c) Tippecanoe Laboratories Building T129, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. Dawn Lehman, engineer for Evonik, also spoke. Variance (a) was to omit the continuous mechanical ventilation system. Variance (b) was to omit the sprinkler system in the H-3 Occupancy since oxidizers are located in this area. Variance (c) was to allow changes in the building to not comply with current code, but will comply as modified by the variances. Following discussion, Commissioner Hoch moved to approve all of the variances, with the second by Commissioner Corey. It was voted upon and carried.

(51) 14-07-37(a)(c)(d) Tippecanoe Laboratories Building T56, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. Dawn Lehman, engineer for Evonik, also spoke. Variance (a) was to omit the continuous mechanical ventilation system in the H-3 refrigerated building. Variance (c) was to omit the hose stream

allowance in hydraulic calculations for the sprinkler system. Variance (d) was to allow changes in the building to not comply with current code, but to comply as modified by the variances. Following discussion, Commissioner Brown moved to approve all of the variances, with the second by Commissioner Corey. It was voted upon and carried.

- (52) 14-07-38 Wabash Middle School Addition, Wabash

Commissioner Brown had called out this application, asking if they had considered the use of sprinklers. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cloud. It was voted upon and carried, with one nay.

- (53) 14-07-39 Waterzone Jellystone Park at Lake Monroe, Bloomington

Rick Walker, General Manager, spoke as proponent. Also speaking was Jim Gerstbauer, Monroe County Building Department. The request was to omit the UV secondary disinfection system required for splash pad installations. The proponent stated that the pool did not fully qualify as either a wading pool or splash pad, since the depth of water was less than a wading pool, but it had a 3,000 gallon holding tank under the installation used to disinfect the water spray, unlike in a splash pad. Following discussion, Commissioner Brenner moved that no variance was required, with the second by Commissioner Cloud. It was voted upon and carried.

- (54) 14-07-43 Fayette Tool and Engineering, Connersville

Christina Colleter, RTM Consultants, spoke as proponent. The request was to allow an addition to an existing tool and dye shop, exceeding the allowable area by 13%. The addition, the existing building, and building north of the addition will be fully sprinklered. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 11:51 a.m. for lunch. It was called back to order at 1:01 p.m.

Chairman Hawkins noted he had been approached by proponents for variances which had been tabled earlier in the meeting who had requested being heard with the understanding that the missing information would be provided. Commissioner Mitchell moved to rescind the tabling of variance 14-06-65 PAL Trailer Leasing Hydrant, Indianapolis, 14-07-20 Mozzi's Pizza, Greenfield, and 14-07-21 Putnam County Public Library Children's Area Renovation, Greencastle. Commissioner Corey made the second. It was voted upon and carried.

- (55) 14-06-65 PAL Trailer Leasing Hydrant, Indianapolis

Randy King spoke as proponent. The request was to allow a construction trailer, used by security personnel for approximately one hour per day to check in semi trailers and file the paperwork, to exceed the allowable distance from a hydrant. Proposed road construction will cause the trailer to be relocated, making this a temporary condition. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(56) 14-07-20 Mozzi's Pizza, Greenfield

John Bennett, JT Designers, spoke as proponent. The request was to omit the sprinkler system required by an expanded seating area. Drywall had been applied directly to the roof structure, leaving no cavity to run sprinkler lines. They will install a fire alarm system, additional egress in the addition, and a fire lane completely around the structure for full fire department access. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with a vote of 5 to 3.

(57) 14-07-21 Putnam County Public Library Children's Area Renovation, Greencastle

The application had been missing signatures, and these were now submitted. They were not original signatures, and the proponent promised to have original signatures submitted to staff by July 7, 2014. Commissioner Corey then moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(58) 14-07-47(d) Axis @ Block 400, Indianapolis
14-07-59(c) Muncie Parking Garage, Muncie

Marvin Christman and Lloyd Underwood, Otis Elevator, spoke as proponents. They had requested that both variances be heard together since they are similar. The governors for the elevators face the hoistway and are not readily visible or accessible for the technicians. California has required that they be turned around for easier access, but the modified equipment will not be available for purchase until December. Following discussion, Commissioner Corey moved to approve with the condition that a means to view the switch be provided. Commissioner Hite made the second. It was voted upon and carried.

(59) 14-07-48(a)(b) Evansville Lutheran School Renovation, Evansville

Matt Lehman, RLehman Consulting, and Dan Temme, architect, spoke as proponents. The code-required 2-hour fire wall will not be provided between the existing church building and the sprinklered school addition. They wish to install fire barriers instead,

and provide NFPA 13 sprinklers in the addition with expansion into the existing structure when further renovations are done. Following discussion, Commissioner Brenner moved to approve (a) with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was withdrawn.

(60) 14-07-50 Kelly's Collision Center Addition, Bluffton

Christina Colleter, RTM Consultants, spoke as proponent. The facility had been inspected and had a violation written requiring a rake wall and insulation. The facility is post construction, not conditioned, and posts are supported by 36" footings. Following discussion, Commissioner Corey felt that the building complied with code, and moved that no variance was required. Commissioner Von Deylen made the second. It was voted upon and carried.

(61) 14-07-51(b) Rockstone Pizza / Big Lug's, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A spiral stair, facing the Monon Trail, will encircle a brewery tank and provide access to the second floor from the rear of the facility. It will not be a required means of egress from the building or from the second floor deck. The tenant space will be sprinklered with an NFPA 13 system. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(62) 14-07-53 The Packard Unit 304, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. When the building was constructed, the owner designed and built a rooftop area for his use. It included a built-in barbeque with piped-in natural gas, sink and workspace. The building was constructed under the 1998 code, and the grill was not prohibited under that code. The current code does not allow grills within ten feet of combustible materials. The proponent felt that, due to the code under which the grill was installed, the current fire code should not be enforced. A lengthy discussion of the interpretation of the word "use" as it applies to the building code and the fire code was held, as well as the code language involving the issue of grandfathering. Because, when constructed ten years ago, the grill was installed in such a way that it was not portable or in danger of being overturned, and because it was fed by piped-in natural gas and not propane cylinders, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried, with one nay vote.

(63) 14-07-54(a) Gateway Apartments, Bloomington

This had been missed in the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(64) 14-07-55 10 North Mixed Use, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the six columns supporting the balcony overhang to be of unprotected construction. They are wrapped, steel beams. Jim Gerstbauer, Monroe Building Department, advised the Commission that he did not oppose the variance. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Cloud abstained.

(65) 14-07-56 Indiana State Fairgrounds Pavilions, Tents, Indianapolis

Jessie Olvera, Director of Safety and Security, spoke as proponent. The request was to allow the long-standing practice of show teams erecting tents and canopies inside sprinklered buildings to showcase their colors and awards to be modified over a period of three years, in an effort to no longer possibly delay activation or obstruct water distribution patterns of sprinklers. The first year, the teams would be given the guidelines and require a portable fire extinguisher present under each tent or canopy. In 2015, tents and canopies must be made to allow water distribution, and a portable fire extinguisher to be present in each tent or canopy. In 2016, tents and canopies must meet or exceed NFPA 701, with a portable fire extinguisher present under each tent or canopy. Following discussion, Commissioner Corey moved to approve with the condition that the occupants must comply with the guidelines presented with the variance application, and ceilings must comply with NFPA 13, 2013, Section 8.5.5. Commissioner Brenner made the second. It was voted upon and carried, with one nay.

(66) 14-07-57(a)(b) Beyond the Veil Church Change of Use, Evansville

Matt Lehman, RLehman Consultants, spoke as proponent. Variance (a) was a request to apply the Chapter 34 review only to the area of use, and not the entire building. The facility has an 8" masonry common wall without openings with the Rural King store, and the remaining three walls are exterior walls. The church will have five exits. Following discussion, Commissioner Cloud moved to approve with the condition that the intervening spaces through which the exits are accessed do not make the exits non-compliant. Commissioner Von Deylen made the second. It was voted upon and carried. Variance (b) was to omit the accessibility ramp to the 24" high platform in the sanctuary area. It will be occupied by the pastor and deacons. Following discussion, Commissioner Von Deylen moved that no variance was required, with the second by Commissioner Corey. It was voted upon and carried.

4. Discussion and Commission action on Petitions for Review

L.M. Zeller and D/B/A Zeller Elevator Company
Leo mark Zeller, Andrew M. Boeglin and
Louis M. Zeller III
Denial of Elevator Mechanic's Licenses

Commissioner Corey moved to grant the timely-filed petition for review, with the second by Commissioner Mitchell. It was voted upon and carried.

5. Discussion concerning Indiana Energy Code applicability to buildings or structures that are neither heated nor cooled.

Following a lengthy discussion, Commissioner Corey made a motion that it was not necessary to file a Comcheck report or other similar software documentation with Plan Review if the design notes show the facility complies with prescriptive requirements. Commissioner Brenner made the second. It was voted upon and carried.

6. Discussion concerning Indiana Energy Code applicability to buildings or structures that are neither heated nor cooled.

Following a lengthy discussion, Commissioner Corey made a motion that if design notes showing compliance with the prescriptive method for mechanical or electrical are on the plans filed with Plan Review, the applicant does not need to file a Comcheck report or other similar software documentation. Commissioner Von Deylen made the second. It was voted upon and carried.

7. Discussion concerning applicability of Section R311.5.2 of the 2005 Indiana Residential Code to stairways that serve only non-habitable attics.

A lengthy discussion was held, including input by Mark Fasel, Fishers Building Department, and Jim Gerstbauer, Monroe County Building Department. No single interpretation was reached by those present, and it was determined that variances would be needed.

8. Dean Illingworth, Code Compliance Officer, presented information concerning the impact of House Bill 1301's passage on the Plan Review process. He noted that the department was given ten days in which to process a CDR application. A checklist has been developed for the process, and if the application requires an RFI, an additional 20 days is added to the timetable. The applicant then has up to 30 days, to respond to the RFI. He also noted that the department is now operating on business days and not calendar days.

9. Comments – Chairman Hawkins

Chairman Hawkins noted that problems in the electronic filing of variance applications had been corrected, and that they had now advanced to the testing phase of the system.

10. Comments – Mara Snyder

Mara Snyder, Director, Legal and Code Services, stated the W9 forms recently mailed to the Commissioners needed to be completed and returned. She also noted that ethics training was expected to be at the end of July. Jim Schmidt was now reviewing the four codes approved last month, and hoped to be done by July 18th. She also noted that the local plan review certification criteria working group's first meeting would be held July 17th.

11. Chairman Hawkins called for any further business. Hearing none, he then adjourned the meeting at 3:13 p.m.

APPROVED

John Hawkins, Chairman

